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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,904	08/12/2004	Russell Steven Krajec	KRAJ06US01	4903
43344 7590 04/01/2008 KRAJEC PATENT OFFICES, LLC 820 WELCH AVENUE BERTHOUD, CO 80513				
EXAMINER NGUYEN, PHU K				
ART UNIT 2628		PAPER NUMBER		
MAIL DATE 04/01/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/710,904

**Applicant(s)**

KRAJEC, RUSSELL STEVEN

**Examiner**

Phu K. Nguyen

**Art Unit**

2628

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-11 and 20-22 is/are allowed.
- 6) ☒ Claim(s) 1-8 and 12-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-85/86)
- Paper No(s)/Mail Date 10/14/05.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over ELLENBY et al. (6,064,398) in view of NONOYAMA (20030218675).

As per claim 1, Ellenby teaches the claimed "system" comprising: "a vehicle having vehicle position sensors" (Ellenby, the position determining means 16, the attitude determining means 15; column 4, lines 56-66); "a first video camera mounted to said vehicle and having camera position sensors and producing a first video feed in a first camera field of view; a field of view calculator adapted to: use said vehicle position sensors and said camera position sensors to produce a first calculated field of view" (Ellenby, the magnetometer 150; column 8, lines 60-64); "determine that a first landmark is approximately located within said first camera field of view; determine a calculated position of said first landmark within said first camera field of view; find the actual position of said landmark within said first video feed" (Allenby, finding the match object; column 9, lines 60-63; maked object; column 10, lines 6-14); "an indicia generator adapted to use said first calculated field of view to produce at least one indicator within said first camera field of view; a video display adapted to display said first video feed and said indicator" (Allenby, the text, column 10, lines 6-14, 20-25). It is noted that Ellenby does not teach "compare said calculated position and said actual

position of said landmark to determine a set of correction factors; and use said correction factors to change said first calculated field of view" as claimed. However, the adjusting or calibrating of captured video data is well known in the art (Nonoyama, position compensation; paragraphs [0052] and [0114]). Thus, it would have been obvious in view of Nonoyama's, to configure Allenby's system as claimed because the adjust of landmark position provides a conformity between a video picture information and a pre-recorded information to determine an object point (Nonoyama, [0055]).

Claim 2 adds into claim 1 "said landmark comprises a stationary object" (Allenby, match information or identified object; column 9, line 60 to column 10, line 14).

Claim 3 adds into claim 1 "a movable object" (Allenby, ships; column 9, line 57).

Claim 4 adds into claim 3 "a second vehicle having a set of second vehicle sensors in communication with said field of view calculator" (Allenby, column 6, lines 15-20).

Claim 5 adds into claim 1 "said vehicle is one of a group comprising an aircraft, a land vehicle, and a watercraft" (Nonoyama, aircraft in figure 5).

Claim 6 adds into claim 1 "said vehicle position sensors comprises at least one from a group comprising a global positioning system receiver, an altimeter, a compass,

and a gyroscope" (Allenby, column 8, lines 60-64; Nonoyama, [0095], [0099]; figure 9).

Claim 7 adds into claim 1 "said camera position sensors comprises at least one from a group comprising a roll sensor, a pitch sensor, a yaw sensor, and a zoom sensor" (Allenby, column 8, lines 60-64; Nonoyama, [0095], [0099]; figure 9).

Claim 8 adds into claim 1 "said indicia comprises at least one from a group comprising latitude and longitude coordinates, a street name, a building address, a building name, and a vehicle" (Allenby, column 9, lines 7-18; column 10, lines 20-25).

Claims 12-19 claim a method based on the system of claims 1-8; therefore, they are rejected under the same reason.

Claims 9-11, and 20-22 are allowed.

The following is an examiner's statement of reasons for allowance:

The features in claim 9 and its dependent claims 10-11; similar for claims 20-22 are: "a second video camera having camera position sensors, a second optical axis, and a second camera field of view, said second video camera being mounted to said vehicle, said second camera field of view being larger than said first camera field of view."

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is (571) 272 7645. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272 7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phu K. Nguyen/  
Primary Examiner, Art Unit 2628